

REMARKS

The Office Action dated November 14, 2007 has been reviewed, and reconsideration of the application and allowance thereof are requested based on the following remarks.

In response to the Restriction Requirement and the Election, Applicants cancel Group I (Claims 1-9) and Group II, Species B (Claims 22-30). Claims 1-9 and 22-30 have been canceled without prejudice to the filing of a divisional application thereon.

In order to expedite the prosecution of the present application and respond to the formal objections and rejections made by the Examiner, Claims 31-40 have been cancelled. Claim 13 is amended so as to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, and is believed to overcome the objection. Additionally, Claims 10-11, 13-14, 17-18, and 21 have been amended to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention, or to cure grammatical and idiomatic errors contained therein. It is respectfully submitted that the currently presented claims contain no new matter and are cured of all formal defects. No new matter has been added.

Claim 21 stands rejected under 35 U.S.C. §101 as being non-statutory subject matter. Claim 21 has been amended so as to contain "computer-readable subject identification system" instead of "program product for a computer," and thereby Claim 21 is believed to be allowable.

Claims 10, 12, 17, 19-21 stand rejected as being unpatentable over Hanna et al. (U.S. Patent No. 6 714 665 B1) in view of Shin (U.S. Pub. No. 2004/0037452 A1). Claim 10 incorporates an additional limitation in order to be further distinguishable over the prior arts. Claim 10 is amended to contain "a bifocal lens which includes a standard lens and a close-up lens." The new limitation is fully supported by the

specification, pages 7 and 23. Claim 10 is directed to a method for identifying a subject using an imaging means having a bifocal lens which includes a standard lens and a close-up lens having a focal length shorter than the focal length of the standard lens, with the following steps:

capturing a standard image of the subject in advance to store the standard image as registration standard image data in a registration standard image data storing means; capturing a close-up image of the subject in advance to store the close-up image as registration close-up image data in a registration close-up image data storing means; capturing a current standard image of the subject using the standard lens to generate current standard image data;

capturing a current close-up image of the subject using the close-up lens to generate current close-up image data when performing identification of the subject; and comparing thereafter by a close-up image data comparing means the current close-up image data with the registration close-up image data stored in the registration close-up image data storing means to thereby perform identification of the subject.

Hanna discloses a fully automatic iris recognition system comprising:

a wide field of view imager which is used to capture an image of the scene and to locate the eye; and
a narrow field of view imager, distinct from the wide field of view imager, which is responsive to the location information provided by the wide field of view imager and which is used to capture by the narrow field of view imager having a higher resolution and a narrower field of view than the image captured by the wide field of view imager.

Hanna clearly shows in the specification and the claims that the recognition system comprises two distinct imagers - a wide view of view imager and a narrow field of view imager that is distinct from the wide field of view imager. The present invention, instead, contains an imaging means having only one bifocal lens. The bifocal lens includes a standard lens and a close-up lens, and the focal length of the close-up lens is shorter than the focal length of the standard lens.

In addition, the Examiner states that Hanna does not disclose "storing images" in the image data storing means recited in Claim 10 and cites Shin so as to allegedly cure the deficiency. Shin teaches the registration module of the image control unit to capture iris images from the image input means, to register the iris images as the reference iris, and to store the registered reference iris images in the reference iris image storage. While Shin discloses only one reference iris image storage to store the registered reference iris images, the present invention includes two separate image data storing means, one for the standard image data and the other for the close-up image data.

Further, there would be no motivation whatsoever to combine the usage of Shin's storage with Hanna's iris recognition system, since Hanna uses an internal database 318 so that the iris image produced by the preprocessor is passed to the internal database 318 as shown in Figure 3 and column 12, lines 4-6 of the specification. It is not guaranteed that Shin's storage would work properly with Hanna's system, because attempting to incorporate Shin's storage in Figure 2 into Hanna's system would necessarily involve a complete restructuring of Hanna's disclosed arrangement in Figure 3.

As such, Claim 10 is believed to be patentably distinguishable over Hanna and Shin, alone or in combination with one another.

Claims 17 and 21 are directed to an apparatus corresponding to the method of Claim 10 and, therefore, are believed to be allowable over Hanna and Shin for the same reasons as presented above relative to Claim 10.

Claim 12 depends upon what is believed to be an allowable Claim 10, is believed allowable therewith, and includes additional features which further distinguish over Hanna and Shin. Claim 12 discloses that the subject is a person or an animal, while Hanna discloses only a person as a subject in Figure 6.

Claims 19-20 depend upon what is believed to be an allowable Claim 17, are believed allowable therewith, and include additional features which further distinguish over Hanna and Shin. Claim 19 discloses that the subject is a person or an animal, and that the light source is configured to have a shape, pattern, color, or combination thereof which is updated to be changed. Hanna discloses only a person as a subject. Further, although Hanna discloses that illumination of the scene is achieved by the light sources, and that the control process may switch a specified one of the light sources and control the brightness of the light sources, Hanna does not teach that the light source is configured to have a shape, pattern, color, or combination thereof. Claim 20 further discloses that the illumination by the light source has the same brightness as the brightness needed for capturing the close-up image of the subject for obtaining the registration close-up image data to be stored in said registration close-up image data storing means, and that the illumination by the light source keeps a constant brightness every time the current close-up image of the subject is captured. Hanna teaches in column 16, lines 5-18 that the illumination technique allows the heads and eyes of the persons being imaged to be uniformly illuminated, and that the light source may be used to provide a known level of

illumination to the head portions of the images captured, but Hanna does not disclose any technique regarding brightness.

Claim 11 stands rejected as being unpatentable over Hanna et al. (U.S. Patent No. 6 714 665 B1) in view of Shin (U.S. Pub. No. 2004/0037452 A1), and further in view of Langley (U.S. Patent No. 6 970 582 B2). Claim 11 depends upon what is believed to be an allowable Claim 10, is believed allowable therewith, and includes additional features which further distinguish over Hanna, Shin and Langley. Claim 11 further discloses the step of comparing by a standard image data comparing means the current standard image data with the registration standard image data stored in the registration standard image data storing means to perform identification of the subject. Langley teaches the verification by using multiple scanned biometric features and comparing the biometric data with reference biometric data, but Langley does not disclose two distinct comparisons for the standard image data and for the close-up image data. Langley, rather, teaches the verification with multiple standard data.

Claim 13 stands rejected as being unpatentable over Hanna et al. (U.S. Patent No. 6 714 665 B1) in view of Shin (U.S. Pub. No. 2004/0037452 A1), and further in view of Tumey et al. (U.S. Patent No. 6 963 659 B2). Claim 13 depends upon what is believed to be an allowable Claim 10, is believed allowable therewith, and includes additional features which further distinguish over Hanna, Shin and Tumey. Claim 13 further discloses that the subject is a person or an animal, that the standard image is a hand or a foot image capturing a substantially entire hand or foot of the subject, and that the close-up image is a fingerprint image. Hanna discloses in Figure 5 a person including face, arms, and hands, the disclosed figure is not a substantially entire hand or foot of the subject.

Claims 14-15 stand rejected as being unpatentable over Hanna et al. (U.S. Patent No. 6 714 665 B1) in view of Shin

(U.S. Pub. No. 2004/0037452 A1), and further in view of Moulton (U.S. Patent No. 4 468 807). Claims 14-15 depend upon what is believed to be an allowable Claim 10 indirectly, are believed allowable therewith, and include additional features which further distinguish over Hanna, Shin and Moulton. Claim 14 further discloses that an optical source noise is combined into the registration close-up image data to be stored in the registration close-up image data storing means, that when a current close-up image of the subject is captured using the close-up lens, the same light source as the light source for illumination is used so that an optical source noise is combined into the current close-up image data, and that when the comparing step is performed by the close-up image data comparing means, the current close-up image data including the optical source noise is compared with the registration close-up image data including the optical source noise. Moulton discloses that data representing light levels of an image are stored in a picture memory device, but Moulton does not teach the optical source noise combined into the registration close-up image data. Claim 15 further discloses that when the current close-up image of the subject is captured using the close-up lens, a shape, pattern, color, or combination thereof of the light source is updated to be changed, and that when the comparing step is performed by the close-up image data comparing means, a shape, pattern, color, or combination thereof of the optical source noise of the registration close-up image data used in the comparing step is changed according to the change in a shape, pattern, color, or combination thereof of the light source. As described above, Hanna does not teach that the light source is configured to have a shape, pattern, color, or combination thereof.

Claim 16 stands rejected as being unpatentable over Hanna et al. (U.S. Patent No. 6 714 665 B1) in view of Shin (U.S. Pub. No. 2004/0037452 A1) and Moulton (U.S. Patent No. 4 468 807), and further in view of Aucsmith et al. (U.S. Patent No. 5 933 502). Claim 16 depends upon what is believed to be an

allowable Claim 10 indirectly, is believed allowable therewith, and includes additional features which further distinguish over Hanna, Shin, Moulton and Aucsmith. Claim 16 includes that the light source is a display portion which performs displaying on a screen, and that when the shape, pattern, color, or combination thereof of the light source is updated to be changed, a shape, pattern, color, or combination thereof of a display drawn on the screen of the display portion is changed. Although Aucsmith discloses the modulation of the illumination source may be for a predetermined amount of time or may be for a pseudorandomly determined amount of time, Aucsmith does not teach that a shape, pattern, or color of a display drawn on the screen of the display portion is changed to update.

Claim 18 stands rejected as being unpatentable over Hanna et al. (U.S. Patent No. 6 714 665 B1) in view of Shin (U.S. Pub. No. 2004/0037452 A1), and further in view of Langley (U.S. Patent No. 6 970 582 B2). Claim 18 depends upon what is believed to be an allowable Claim 17 indirectly, is believed allowable therewith, and includes additional features which further distinguish over Hanna, Shin, and Langley. Claim 18 further discloses a standard image data comparing means for comparing the current standard image data obtained by the current standard image obtaining means with the registration standard image data stored in the registration standard image data storing means. As described above as for Claim 11, although Langley teaches the verification by using multiple scanned biometric features and comparing the biometric data with reference biometric data, Langley does not disclose two distinct comparisons for the standard image data and for the close-up image data. Langley, rather, teaches the verification with multiple standard data.

For the above reasons allowance of the instant application is respectfully requested.

Respectfully submitted,



Terryence F. Chapman

TFC/HJ/smd

FLYNN, THIEL, BOUTELL & TANIS, P.C. 2026 Rambling Road Kalamazoo, MI 49008-1631 Phone: (269) 381-1156 Fax: (269) 381-5465	David G. Boutell Terryence F. Chapman Mark L. Maki Liane L. Churney John A. Waters Brian R. Tumm Donald J. Wallace Stephen C. Holwerda Dale H. Thiel Sidney B. Williams, Jr. Heon Jekal	Reg. No. 25 072 Reg. No. 32 549 Reg. No. 36 589 Reg. No. 40 694 Reg. No. 24 802 Reg. No. 36 328 Reg. No. 43 977 Reg. No. 57 391 Reg. No. 24 323 Reg. No. 24 949 Reg. No. L0379*
--	---	---

*limited recognition number

Encl: Replacement Abstract
Postal Card

136.07/05